

FEDERAL ELECTION COMMISSION
999 E Street, N.W.
Washington, D.C. 20463

SENSITIVE

FIRST GENERAL COUNSEL'S REPORT

MUR: 5349

DATE COMPLAINT FILED: February 21, 2003

DATE OF NOTIFICATION: February 27, 2003

DATE ACTIVATED: October 14, 2003

EXPIRATION OF STATUTE OF
LIMITATIONS: April 15, 2007

SOURCE:

EXTERNALLY GENERATED

COMPLAINANT:

Republican Party of Minnesota

RESPONDENTS:

Minnesota Democratic-Farmer-Labor House
Caucus and Paul Rogosheske, as Treasurer

Minnesota Democratic-Farmer-Labor Party and
Paul Schulte, as Treasurer

RELEVANT STATUTES:

2 U.S.C. § 431

2 U.S.C. § 434(a)

2 U.S.C. § 434(b)

2 U.S.C. § 437g(b)

2 U.S.C. § 438(a)(7)

2 U.S.C. § 441a(a)(1)(C)

2 U.S.C. § 441a(a)(2)(C)

11 C.F.R. § 100.14(b)

11 C.F.R. § 100.15

11 C.F.R. § 102.5(a)(1)(i)

11 C.F.R. § 104.3(a)(4)(i)

11 C.F.R. § 106.7

INTERNAL REPORTS CHECKED: Disclosure Reports

FEDERAL AGENCIES CHECKED: None

1 **I. INTRODUCTION**

2
3 This matter primarily involves the failure of the Minnesota Democratic-Farmer-
4 Labor House Caucus (the "Caucus") to timely file disclosure reports with the
5 Commission during 2002. The complaint also challenges the Caucus' reported affiliation
6 with Minnesota Democratic-Farmer-Labor State Party (the "State Party"), and questions
7 whether \$231,638 in transfers made between the Caucus and the State Party in 2002
8 constitute excessive contributions.¹ Alternatively, if the two committees are affiliated,
9 the complaint alleges that they may have received excessive contributions from
10 individuals or candidate committees through their aggregated contributions. Finally, the
11 Caucus's late filed disclosure reports for 2002 suggest an additional violation concerning
12 funds transferred between the Caucus's nonfederal and federal accounts.²

13 The Caucus does not dispute its failure to file disclosure reports during 2002, but
14 claims that it was victimized by a former employee's failure to file the reports and her
15 subsequent concealment of her actions. The allegation of improper transfers between the
16 Caucus and State Party appears to be resolved by evidence that the Caucus and State
17 Party are affiliated, and can make unlimited transfers. As affiliates, however, the Caucus
18 and the State Party share a single contribution limit, which appears to have been violated
19 by the aggregate total of contributions that the two committees received from two

¹ The transfers from the Caucus's federal account to the Party that are the subject of this Complaint occurred on the following dates: 2/11/02 for \$20,000; 4/5/02 for \$38,000; 5/13/02 for \$12,500; 6/19/02 for \$15,000; 8/21/02 for \$20,000; 9/20/02 for \$26,138.32; 10/7/02 for \$10,000; 10/22/02 for \$30,000; 10/24/02 for \$15,000; 11/3/02 for \$11,000; and 11/19/02 for \$9,000. The Caucus's Amended July Quarterly report shows that in addition to these sums, the Caucus also transferred to the Party \$10,000 on 5/18/02; thus the total amount transferred to the Party during 2002 was \$241,638.32.

² Although the Reports Analysis Division (RAD) was able to resolve a number of issues through RFAI, these transfers would have met the threshold for referral to this Office had the Complaint in MUR 5349 not been under review.

1 individuals. Finally, it appears that the Caucus improperly transferred \$69,200 from its
2 non-federal to its federal account. Accordingly, this Office is recommending that the
3 Commission make the appropriate reason to believe findings and enter into pre-probable
4 cause conciliation with the Caucus and admonish, but take no further action against, the
5 State Party and individual contributors, Vance K. Opperman and Gerald K. Seck.

6 **II. FACTUAL AND LEGAL ANALYSIS**

7 **A. Background**

8 The Minnesota Democratic-Farmer-Labor Party is registered with the
9 Commission as a qualified State Committee of the Democratic Party.

10 The DFL House Caucus registered with the Commission on August 24, 2000.
11 The Caucus is comprised of all members of the Democratic-Farmer-Labor Party that are
12 elected to the State legislature's House of Representatives. Membership in the Caucus
13 appears to be based solely on membership in the Party. In its registration with the
14 Commission, in addition to reporting the same mailing address as the State Party, the
15 Caucus identified itself as the subordinate committee of the State Party and reported its
16 relationship with the State Party as that of "affiliate."

17 From the time it registered with the Commission until February 5, 2002, the
18 Caucus timely filed the appropriate disclosures and reports with the Commission.
19 However, after February 2002 all reporting to the Commission abruptly ceased,
20 notwithstanding numerous non-filer mailgrams inquiring about the missing reports. The
21 lapse in filing resulted in the failure to timely file the April Quarterly, July Quarterly,
22 October Quarterly, Pre-General, Post-General and Year-End Reports for 2002.

1 The Complaint was filed with the Commission on February 21, 2003. The
2 Caucus filed five of the missing reports on March 3, 2003 and the other two on May 6,
3 2003.³ In its March 13, 2003 response to the Complaint, the Caucus admitted, "the
4 appropriate filings have not been made for 2002 activity in our federal account." *Caucus*
5 *Response* at 1. The Caucus claimed it discovered that the staff member charged with
6 making such filings "had been telling our staff that she was electronically filing our
7 reports, but in reality she was not making reports and [was] hiding inquiries from the
8 FEC." *Id.* The Caucus also argued that the effect of the failure to make the appropriate
9 filings with the Commission was mitigated by the fact that it had made the appropriate
10 disclosures in its filings with the State of Minnesota.

11 Once the late reports were filed with the Commission, the Caucus received
12 numerous Requests for Further Information ("RFAs") concerning their contents. RAD
13 sent RFAs to the Caucus inquiring about transfers from the Caucus's non-federal
14 account to its federal account and whether those amounts were used for federal
15 activities.⁴ The Caucus responded to the RFAs by confirming that transfers from its

³ On March 3, 2003 the Caucus filed New Quarterly Receipts and Disbursements reports for April, July and October 2002 and a Year-End Report. The Caucus filed Amended Quarterly Reports for April and July 2002 on June 24, 2003. On May 6, 2003 the Caucus filed its 12-Day General Pre-Election, 30-Day Post-Election and Amended Year-End reports. On July 10, 2003 the Caucus filed a Second Amended Year-End report. On August 29, 2003 the Caucus filed Second Amended reports for April and July 2002 and filed its First Amended report for October 2002, in addition to its Amended 12-Day General Pre-Election, Amended 30-Day Post-Election and Third Amended Year-End reports

⁴ The RFAs requested additional information about transfers from the Caucus's nonfederal to its federal account totaling \$29,800 and \$21,100, and disclosed in the 2002 April and July Quarterly reports, respectively.

1 non-federal to its federal account totaling \$69,200 were made in error and had been
2 refunded.⁵

3 B. Analysis

4 1. Untimely Disclosure Reporting

5 The Caucus was required to submit quarterly, pre- and post-general election and
6 year-end reports in the 2002 calendar year.⁶ In total, the Caucus was required to submit
7 six separate reports from April 15, 2002 through January 31, 2003. Specifically, the first
8 report the Caucus was required to file was an April Quarterly report on April 15, 2002,
9 followed by a July Quarterly report on July 15, 2002, an October Quarterly report on
10 October 15, 2002, a Pre-General Election report on October 24, 2002, a Post-General
11 Election report on December 5, 2002 and a Year-End report on January 31, 2003.
12 Collectively, these reports should have disclosed all receipts and disbursements of the
13 Caucus, including contributions received by individuals and political committees as well
14 as contributions made by the Caucus to the Party and campaign committees. *See* 2
15 U.S.C. § 434(a) & (b); 11 C.F.R. § 104.3.

⁵ RAD's RFAI sought information about \$50,900 in transfers, but the Caucus admitted to impermissible transfers totaling \$69,200 in subsequent communications with RAD. This MUR therefore addresses the total amount of \$69,200, which would have met the threshold for referral. This Office has confirmed that \$69,200 was repaid to the Caucus's nonfederal account in May-June 2003

⁶ In calendar years during which there is a regularly scheduled election, the Act requires the treasurers of all political committees that are not the authorized committees of a particular candidate to file timely quarterly disclosure reports, pre-election and post-general election and year-end disclosure reports for any election in which the committee makes an expenditure on behalf of a candidate *See* 2 U.S.C. § 434(a)(4)(A) The treasurer must file the quarterly reports no later than the 15th day after the last day of each calendar quarter, the pre-general election report no later than 12 days before the election and the post-general election report within 30 days of the election. *Id.* The quarterly reports must include all receipts and disbursements through the last day of the calendar quarter, the pre-general election reports must include all receipts and disbursements through the 20th day before the election, and the post-general election report must include all receipts and disbursements through the 20th day after the election. 2 U.S.C §§ 434(b)(2) & (4). In addition these reports must disclose the identity of all persons who make contributions to the committee in excess of \$200, as well as the identity of all political or affiliated committees from whom it receives contributions, including the date and amount of such contributions. 2 U.S.C. §§ 434(b)(3)(A)-(B) & (D)

1 The Caucus did not submit any reports until after the Complaint was filed. In
2 fact, the Caucus filed its reports for the calendar year 2002 on March 3, 2003. The
3 Caucus does not contest the reporting violations alleged in the Complaint and in the
4 Commission's RFAs. The Caucus readily admits that during the relevant time period the
5 Caucus had been receiving inquiries from the FEC but "the appropriate filings [had] not
6 been made for 2002 activity." Caucus Letter to Commission dated March 13, 2003.
7 While the Caucus blames its failure to file proper disclosures and to respond to RFAs on
8 the actions of an allegedly unscrupulous employee, it appears that the Caucus and its
9 treasurer failed to exercise proper oversight.⁷ The Caucus's contention that its failure to
10 file the proper disclosures was the fault of a rogue employee does not obviate the fact that
11 the Caucus's treasurer is strictly responsible for certifying and filing the appropriate
12 reports. *See* 11 C.F.R. §§ 102, 104.

13 The Caucus appears to have violated the Act by: (1) failing to file an April
14 Quarterly report within the time required by 2 U.S.C. § 434(a)(4)(A)(i); (2) failing to file
15 a July Quarterly report within the time required by 2 U.S.C. § 434(a)(4)(A)(i); (3) failing
16 to file an October Quarterly report within the time required by 2 U.S.C. § 434(a)(4)(A)(i);
17 (4) failing to file a Pre-General Election report within the time required by 2 U.S.C. §
18 434(a)(4)(A)(ii); and (5) failing to file a Year-End report for 2002 within the time
19 required by 2 U.S.C. § 434(a)(4)(A)(i).⁸ Accordingly, this Office recommends that the

⁷ The Caucus asserts that it immediately terminated the staff member responsible for failing to file the reports once it discovered the omissions and replaced her with new staff, including a contract CPA. *See* Caucus Email to RAD dated August 29, 2003. However, these actions only took place after the Complaint was filed.

⁸ The Caucus also violated 2 U.S.C. § 434(a)(4)(A)(iii) by failing to file the Post-General Election report. However, in 2003 the Commission resolved the late filing of the Post-General Election report through the

1 Commission find reason to believe that the DFL House Caucus and Paul Rogosheske, as
2 treasurer, violated 2 U.S.C. § 434(a).

3 2. Transfers Between Affiliated Committees

4 The Complaint alleges that the Caucus does not qualify as either a state political
5 party or a subordinate or affiliate of the DFL State Party "because as an FEC-registered
6 committee, [it] can only qualify as a nonconnected political committee under 11 C.F.R.
7 §100.5." *Complaint* at 5. The Complainant bases this allegation "on information and
8 belief that the Caucus is not under the control for direction of the DFL State Party" and
9 "on information and belief that the DFL State Caucus is not created by the Constitution
10 or Bylaws of the DFL State Party, and the DFL State Party does not otherwise exercise
11 direct or indirect control over the DFL House Caucus in any manner." *Id.* at 4.⁹

12 In its Statement of Organization, filed by the Caucus on August 23, 2000, and
13 again on July 8, 2003, the Caucus registered itself as a subordinate committee of the DFL
14 Party and expressly listed its connection or relationship to the Party as that of "affiliate."
15 Moreover, there is a regulatory presumption of affiliation between a State party
16 committee and subordinate party committees. *See* 11 C.F.R. § 110.3(b)(3). Each
17 committee has the opportunity to rebut this presumption by demonstrating that it has not

Administrative Fines program. The Commission found RTB that the Caucus had violated Act and issued a civil money penalty of \$4500, which the Caucus paid on June 11, 2003.

⁹ The Act defines a "party committee" as "a political committee which represents a political party and is part of the official party structure at the national, State or local level." 11 C.F.R. § 100.5(e)(4) The "state committee" is the organization that by virtue of the by-laws of the political party or by operation of state law is responsible for the day-to-day operations of the political party at the State level, and the "subordinate committee" is the entity that is directly or indirectly established, financed, maintained or controlled by the State, district or local committee and is responsible for the operations of the political party "at the level of city, county, neighborhood, ward, district, precinct, or any other subdivision of a State." 11 C.F.R. §§ 100.14(a) & (c). "Affiliated committees" are those that are "established, financed, maintained or controlled" by the same person or group of persons. 11 C.F.R. § 100.5(g)(2)

1 "received funds from any other political committee established, financed maintained, or
2 controlled by any party unit" and "does not make its contributions in cooperation,
3 consultation, or concert with, or at the request or suggestion of any other party unit or
4 political committee established, financed, maintained, or controlled by another party
5 unit." 11 C.F.R. §110.3(b)(3)(i)-(ii).¹⁰

6 There is substantial evidence that the Caucus and the Party are affiliated. First,
7 the Caucus registered as a subordinate committee of the Party and has consistently
8 identified itself as a Party "affiliate."¹¹ Membership in the Caucus appears to be based
9 on an individual's membership in the Party, as the House Caucus is comprised of all
10 members of the Democratic-Farmer-Labor Party that are elected to the State legislature's
11 House of Representatives. Further, the Party's website includes a direct link for
12 accessing web pages for the DFL House Caucus and the Caucus's Campaign. *See*

¹⁰ In ascertaining whether committees are affiliated, the Commission considers a number of circumstantial factors in the context of the overall relationship of the committees to determine if the presence of any factor or factors is evidence of affiliation. *See* 11 C.F.R. § 100.5(g)(4)(ii). Such factors include, but are not limited to, whether the allegedly affiliated committees have "common overlapping officers or employees" or "common overlapping membership...which indicates a formal or ongoing relationship," whether a committee "provides funds or goods in a significant amount or on an ongoing basis" to another committee, such as through direct or indirect payments for administrative, fundraising or other costs; whether a committee "arranges for funds in a significant amount or on an ongoing basis to be provided to" the allegedly affiliated committee; whether the "committee or its agent had an active or significant role in the formation" of the allegedly affiliated committee; and whether the allegedly affiliated "committees have similar patterns of contributions or contributors which indicate a formal or ongoing relationship." *See* 11 C.F.R. §§ 100.5(g)(4)(ii)(D-E, G-J). The Commission may also consider other factors relevant to its inquiry. *See* 11 C.F.R. § 100.5(g)(4)(ii) (stating "[s]uch factors include, *but are not limited to* . . ." the enumerated factors) (emphasis added); *see also* AO 2000-28 ("The list of ten circumstantial factors set forth in 11 C.F.R. §100.3(a)(3)(ii) is not an exclusive list, and other factors may be considered.") (citing AOs 1999-39 and 1995-36).

¹¹ Contrary to the Complainant's contention otherwise, the Party and the Caucus are located at the same address, even though the committees maintain separate treasurers and telephone numbers. *Complaint* at 4, *but see* Attach. 1. When the Caucus first registered with the Commission on August 23, 2000, both the Caucus and the Party listed their address as 352 Wacouta Street, St. Paul, MN 55101. Currently both committees use the address of 255 E. Plato Blvd., St. Paul, MN 55107.

1 <http://www.dfl.org>.¹² Moreover, both committees have made regular and consistent
2 transfers to one another. For example, during the 2002 calendar year the Caucus made
3 eleven transfers to the Party for a total of \$231,638.32 (in fact it is these transfers that are
4 partially at issue in this Complaint) and the Party made three transfers to the Caucus for a
5 total of \$39,000.¹³ The Caucus and the Party also have similar patterns of making
6 contributions to third parties and receive contributions from several of the same donors.

7 Based on this information, the Caucus and the Party appear to be affiliated
8 committees, as set forth in 11 C.F.R. § 100.5. Accordingly, this Office recommends that
9 the Commission find no reason to believe that the Caucus or the Party violated 2 U.S.C. §
10 441a in connection with transfers from the Caucus to the Party.

11 3. Excessive Contributions

12 The Complaint also raised the question of whether the Caucus and Party had
13 accepted excessive contributions in the calendar year 2002, which the Complainant
14 pointed out was impossible to ascertain since the Caucus had failed to file the appropriate
15 disclosures at the time of the Complaint. *Complaint* at 5. Having concluded that the
16 Caucus and the Party are affiliated committees, pursuant to 2 U.S.C. § 441a(a)(5), both
17 committees are subject to the contribution limits set forth in 2 U.S.C. §§ 441a(a)(1) and
18 (2). Specifically, the committees were limited to receiving a total of \$5000 in a calendar

¹² From the Party's website a visitor may not only be linked to the Caucus web pages, but may also receive instructions on how to do everything from locating their representative in the House and Senate, to finding town hall meetings and making donations online. Articles on the Caucus website also discuss what the DFL State Party and the House and State Caucuses are doing in furtherance of their collective goals

¹³ In fact, with the exception of a donation of \$250 from Voters Organized to Empower PAC, the Party was the only multicandidate committee to make a contribution to the Caucus in 2002

1 year in contributions from individuals and multicandidate committees. 2 U.S.C. §§
2 441a(a)(1)(C), 441a(a)(2)(C) and 441a(f).

3 A review of the Receipts and Disbursements reports of the Caucus and the Party
4 for the 2002 calendar shows that the Caucus and the Party received contributions from
5 two individuals, which, when aggregated exceeded the contribution limits set forth in 2
6 U.S.C. §§ 441a(a)(1) &(2). See Diagram A.

7 **Diagram A – Excessive Contributions**

Contributor	Contribution to Caucus	Date of Contribution to Caucus	Contribution to Party	Date of Contribution to Party	Total Amount Contributed	Amount of Excessive Contribution
Vance K. Opperman			\$5000	3/21/02		
Vance K. Opperman	\$5000	9/13/02				
					\$10,000	\$5000
Gerald K. Seck	\$250	1/22/02				
Gerald K. Seck	\$250	6/6/02				
Gerald K. Seck	\$250	8/19/02				
Gerald K. Seck	\$2000	9/27/02				
Gerald K. Seck			\$3000	10/31/02		
					\$5750	\$750

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9 As a result, the Caucus received a total of \$5000 and the Party received a total of
10 \$750 in excessive contributions during the 2002 calendar year. To date, these excessive
11 contributions have not been refunded.

12 Therefore, this Office recommends that the Commission find reason to believe
13 that the DFL House Caucus and Paul Rogosheske, as treasurer, and the Democratic-
14 Farmer-Labor Party and Paul Schulte, as treasurer, violated 2 U.S.C. § 441a(f). Given
15 the small amount of the excessive contribution accepted by the Party (\$750), this Office

1 recommends that the Commission admonish the Party and advise it of its obligation to
2 refund the excessive contribution, but take no further action against the Party.

3 This Office also recommends that the Commission internally generate the two
4 individual contributors, Vance K. Opperman and Gerald K. Seck as respondents, and find
5 reason to believe that they violated 2 U.S.C. § 441a(a)(1)(C). However, in light of the
6 small amounts of their excessive contributions, this Office recommends that the
7 Commission admonish Messrs. Opperman and Seck, but take no further action against
8 them and close the file.

9 4. Impermissible Transfers

10 The Act provides that state, district and local party committees that finance
11 political activity in connection with both federal and non-federal elections must establish
12 separate accounts for their federal and non-federal activities. *See* 11 C.F.R. § 102.5(a).
13 Disbursements, contributions, expenditures and transfers made in connection with any
14 federal election shall only be made from the committee's federal account and "no
15 transfers may be made to such federal account from any other accounts maintained by
16 such organization for the purpose of financing activity in connection with non-federal
17 elections." 11 C.F.R. § 102.5(a)(1)(i).¹⁴

18 Additionally, the Act prohibits corporations and labor organizations from making
19 contributions in connection with federal elections and prohibits political committees from
20 knowingly accepting such contributions. 2 U.S.C. § 441b(a). A committee with federal
21 and non-federal accounts, which appears to have violated 11 C.F.R. § 102.5 by disbursing

¹⁴ The regulation further directs that administrative expenses for political committees shall be allocated pursuant to 11 C.F.R. § 106.7, which requires, "State, district and local party committees that are political committees that have established separate Federal and non-Federal accounts...shall allocate expenses between those accounts." 11 C.F.R. § 106.7(b).

1 funds from its non-federal account in connection with a federal election, may also have
2 violated 2 U.S.C. § 441b if the non-federal account contained corporate or labor
3 organization funds at the time of disbursement.

4 RAD initially identified and inquired about a total of \$50,900 in apparently
5 impermissible transfers from the Caucus's non-federal account to its federal account.¹⁵

6 Despite repeated requests, the Caucus did not respond to RAD's warnings about the
7 transfers until June 24, 2003 (after the Complaint had been filed), at which point the
8 Caucus simply claimed to have identified the source of the confusion, but made no effort
9 to remedy the problem. *Attach. 2.*

10 In its August 29, 2003 email correspondence to RAD, the Caucus stated that an
11 internal audit had identified a total of \$69,200 in transfers from by the Caucus's state
12 account to its federal account, and averred, "The entire sum of the transfers (\$69,200) has
13 been returned from the Federal Account to the State Account to fully repay those
14 transfers."¹⁶ *Attach. 3.* Accordingly, this Office recommends that the Commission find
15 reason to believe the Caucus violated 11 C.F.R. § 102.5(a)(1)(i) when it made the
16 transfers totaling \$69,200 from its non-federal to its federal account. Moreover, because

¹⁵ RAD had repeatedly warned the Caucus that transfers between its federal and non-federal accounts appeared to be in violation of regulations 102.5(a) and 106.7 and requested that the Caucus immediately return the funds to the appropriate account and submit documentation of its corrective action. See RFAs dated April 16, 2003, May 16, 2003 and September 17, 2003.

¹⁶ This Office has been able to confirm \$64,100 in impermissible transfers from the Caucus's nonfederal to its federal account through a review of the Caucus's disclosure reports, even though the Caucus has admitted to making a total of \$69,200 in impermissible transfers. However, because RAD has determined that both figures meet the threshold for referral, and the Caucus has admitted to \$69,200 in impermissible transfers, \$69,200 is the figure that will be used for the purposes of this MUR. According to disclosure reports filed by the Caucus, the improperly transferred funds were repaid to the Caucus's state account -- \$600 on 5/30/03, \$400 on 6/20/03, \$33,000 on 7/17/03, \$20,000 on 8/13/03, \$10,000 on 8/18/03 and \$5,200 on 8/26/03.

1 this transaction may have led to the use of corporate or union funds in a federal election,
2 this Office recommends that the Commission find reason to believe that the Caucus and
3 Paul Rogosheke, as treasurer, violated 2 U.S.C. § 441b(a).

4 **III. CONCILIATION**

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IV. RECOMMENDATIONS

1. Find reason to believe that the Democratic-Farmer-Labor House Caucus and Paul Rogosheske as treasurer violated 2 U.S.C. § 434(a) and enter into pre-probable cause conciliation;
2. Find reason to believe that the Democratic-Farmer-Labor House Caucus and Paul Rogosheske as treasurer violated 2 U.S.C. § 441a(f) in connection with the receipt of excessive contributions and enter into pre-probable cause conciliation;
3. Find reason to believe that the Democratic-Farmer-Labor House Caucus and Paul Rogosheske as treasurer violated 2 U.S.C. § 441b and 11 C.F.R. § 102.5(a) in connection with transfers of funds between the committee's non-federal and federal accounts and enter into pre-probable cause conciliation;
4. Find reason to believe that the Democratic-Farmer-Labor Party and Paul Schulte violated 2 U.S.C. § 441a(f), but take no further action other than to send a letter of admonishment;
5. Find reason to believe that individual contributors Vance K. Opperman and Gerald K. Seck violated 2 U.S.C. § 441a(a)(1)(C), but take no further action other than to send a letter of admonishment;


6. Find no reason to believe that the Democratic-Farmer-Labor House Caucus and Paul Rogosheske, as treasurer, or the Democratic-Farmer-Labor Party and Paul Schulte, as treasurer, violated 2 U.S.C. § 441a in connection with transfers of funds between the two committees;
7. Approve the appropriate Factual and Legal Analyses;
8. Approve the attached Conciliation Agreement; and
9. Approve the appropriate letters.

Lawrence H. Norton
General Counsel

Rhonda J. Vosdingh
Associate General Counsel for Enforcement

7/22/04

Date



By: Mark D. Shonkwiler
Assistant General Counsel



Camilla Jackson Jones
Attorney

9

10 Attachments:

- 11 1. Statement of Organization for Minnesota Democratic-Farmer-Labor House Caucus.
- 12 2. Letter dated June 24, 2003 from Democratic-Farmer-Labor House Caucus.
- 13 3. Email correspondence dated August 29, 2003 from Democratic-Farmer-Labor
- 14 House Caucus.
- 15 4. Proposed Conciliation Agreement.